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Innova Electronics Corporation*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

POWER PROBE GROUP, INC.,

Plaintiff,

vs.

INNOVA ELECTRONICS
CORPORATION,

Defendant.

AND ALL RELATED CLAIMS.

Case No.: 2:21-cv-00332-GMN-EJY

**STIPULATION AND ORDER RE:
EXPIRATION OF PATENT-IN-SUIT
AND DISSOLUTION OF
PRELIMINARY INJUNCTION [ECF
NO. 204]**

Pursuant to 35 U.S.C. § 154, Plaintiff Power Probe Group, Inc. (“Plaintiff”) and Defendant Innova Electronics Corporation (“Innova,” and with Plaintiff, the “Parties”), by and through their respective attorneys of record, hereby stipulate and agree as follows:

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1 WHEREAS, this action was brought by Plaintiff, which alleges, *inter alia*,
2 infringement by Innova of United States Patent No. 7,184,899 (the “’899 Patent” or “Patent-
3 in-Suit”);

4 WHEREAS, the Court entered a preliminary injunction (the “Preliminary Injunction”)
5 on October 25, 2023 [ECF No. 204] (the “P.I. Order”), enjoining Innova “pending a final
6 determination on the merits, from promoting, marketing, advertising, selling, and offering, for
7 sale the Innova PowerCheck #5420 (the ‘Accused Device’)”;

8 WHEREAS, on March 13, 2025, the United States Court of Appeals for the Federal
9 Circuit, in Case No. 24-1166, issued a decision affirming the P.I. Order;

10 WHEREAS, the ’899 Patent is set to expire on April 26, 2025;

11 WHEREAS, the award of a patent “gives the inventor the right to exclude others from
12 making, using, or selling the invention until the patent expires ... ” *Minerva Surgical, Inc. v.*
13 *Hologic, Inc.*, 594 U.S. 559, 563 (2021) (citing 35 U.S.C. § 154);

14 NOW, THEREFORE, based on the foregoing facts, and by application of the
15 foregoing authority, the Parties hereby acknowledge and agree that Plaintiff’s right to exclude
16 others from practicing the ’899 Patent will and does expire on April 26, 2025; and,

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the Parties further acknowledge and agree that upon expiration of the Patent-in-Suit, there remains no legal or factual basis for the P.I. Order against Defendant to continue in effect, such that the P.I. Order should be dissolved upon expiration of the '899 Patent, to wit April 26, 2025.

IT IS SO STIPULATED this 21st day of April, 2025.

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KEARNEY PUZEY DAMONTE, LTD.

By: /s/ Jared M. Moser

By: /s/ James D. Boyle

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Attorneys for Plaintiff

ORDER

It is SO ORDERED, that the Preliminary Injunction entered by this Court pursuant to the P.I. Order [ECF No. 204] entered October 25, 2023 shall be dissolved, with such dissolution to take effect on April 27, 2025.


UNITED STATES DISTRICT JUDGE

DATED: April 22, 2025

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **STIPULATION AND ORDER RE: EXPIRATION OF PATENT-IN-SUIT AND DISSOLUTION OF PRELIMINARY INJUNCTION [ECF NO. 204]** with the Clerk of the Court for the United States District Court by using the court's CM/ECF system on the 21st day of April, 2025.

☒ I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

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